

**REMARKS**

Claims 1-6, 8-12, 14-18, and 20-24 are all the claims presently pending in the application. Claim 1 is amended to more clearly define the invention. Claims 1-2, 8, 14, and 21-23 are independent.

These amendments are made only to more particularly point out the invention for the Examiner and not for narrowing the scope of the claims or for any reason related to a statutory requirement for patentability.

Applicant also notes that, notwithstanding any claim amendments herein or later during prosecution, Applicant's intent is to encompass equivalents of all claim elements.

Applicant gratefully acknowledges that claims 2-6, 8-12, 14-18, and 20-23 are allowed. However, Applicant respectfully submits that all of the claims are allowable.

Claims 1 and 24 stand rejected under 35 U.S.C. § 102(e) as being anticipated by the Lin reference.

This rejection is respectfully traversed in the following discussion.

**I. THE CLAIMED INVENTION**

An exemplary embodiment of the claimed invention, as defined by, for example, independent claim 1, is directed to an image scanner for use in reading image information. The image scanner includes conveying means for conveying a manuscript including the image information to be read on a predetermined reading position of a conveying route, a first light source which is located at one side of the conveying route and which emits light onto the

predetermined reading position from the one side, a second light source which is located at another side of the conveying route being opposite to the first light source, and which emits light onto the predetermined reading position from the another side opposite to the one side, image information reading means for reading the image information included in the manuscript at the predetermined reading position on the conveying route by light-electricity conversion, light source switching control means for controlling light source switching between the first and said second light sources to read the image information included in said manuscript an upper housing unit in which at least the image information reading means is contained, and a lower housing unit positioned below said upper housing unit. The light source switching control means rendering only the first light source ON when the image information is defined by a transmitting light transmitting through the manuscript. The light source switching control means rendering only the second light source ON when the image information is defined by a reflected light reflected by the manuscript.

As shown in Fig. 1, conventional image scanners will hold a manuscript 75 stationary while the image on the manuscript 75 is read by scanning a sensor 78 in a scanning direction 77. Such scanners require elaborate mechanisms and a large amount of space to move the scanner 78 in this manner. Thus, not only do these scanners require elaborate and expensive mechanisms to move the scanner, but they also require a large amount of space to reserve an adequate amount of space for the sensor 78 to pass through while scanning. This problem is especially problematic when space must be reserved on both sides of the manuscript to allow reflection type scanning using a first lamp 79 on a first side and also to allow transmission type scanning using a second

lamp 84 on a second side of the manuscript.

By contrast, as shown for example in Fig. 3, the present invention maintains a predetermined reading position (between first and second glass plates, 112 and 121) while causing the manuscript 111 to be conveyed past the predetermined reading position in order to scan the image on the manuscript 111.

Further, the image scanner of the present invention includes an upper housing unit in which at least the image information reading means is contained, and a lower housing unit positioned below said upper housing unit. As a result, the present invention has a compact and simple design. The compact design of the present invention also enables both reflection and transmission type scanning.

Additionally, the upper housing unit may be easily removed from the lower housing unit and therefore, provides the capability to easily read a predetermined type of manuscript such as a book manually. (Page 13, lines 11 - 17).

## **II. THE PRIOR ART REJECTION**

Regarding the rejection of claims 1 and 24, the Examiner alleges that the Lin reference teaches the claimed invention. Applicant submits, however, that there are elements of the claimed invention which are neither taught nor suggested by the Lin reference.

The Lin reference does not teach or suggest the features of the present invention including an upper housing unit in which at least the image information reading means is contained, and a lower housing unit positioned below said upper housing unit. As explained above, this feature is

important for providing a compact and simple design and also allows the upper unit to be easily removed for manual scanning.

In stark contrast, the Lin reference discloses an image reading means 33 in a lower housing unit. Therefore, the image scanner that is disclosed by the Lin reference does not provide a compact and simple design and also does not allow the upper unit 4 to be removed for manual scanning.

Therefore, the Lin reference does not teach or suggest each and every element of the claimed invention. Thus, the Examiner is respectfully requested to withdraw this rejection of claims 1 and 24.

### **III. FORMAL MATTERS AND CONCLUSION**

In view of the foregoing amendments and remarks, Applicant respectfully submits that claims 1-6, 8-12, 14-18, and 20-24, all the claims presently pending in the Application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the Application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

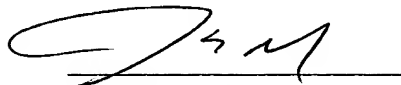
09/492,521  
DOCKET NO. KN-43-US

20

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date: 10/4/04

  
James E. Howard  
Registration No. 39,715.

RECEIVED  
OCT 05 2004  
Technology Center 2600

**McGinn & Gibb, PLLC**  
8321 Old Courthouse Rd., Suite 200  
Vienna, Virginia 22182  
(703) 761-4100  
**Customer No. 21254**